

National Labor Relations Board

Pt. 102

and signed. It is filed with the Executive Secretary of the Board in Washington, DC. No particular form is required, but the petition must be properly captioned and must contain the allegations required by §102.106 of the Board's Rules and Regulations. None of the information sought relates to the merits of the dispute. The petition may be withdrawn any time before the Board issues its declaratory order deciding whether it would or would not assert jurisdiction over the cases.

§ 101.43 Proceedings following the filing of the petition.

(a) A copy of the petition is served on all other parties.

(b) Interested persons may request intervention by a written motion to the Board. Such intervention may be granted at the discretion of the Board.

(c) All other parties may reply to the petition in writing.

(d) Briefs may be filed.

(e) After review of the record, the Board issues a declaratory order as to whether it will assert jurisdiction over the cases, but it will not render a decision on the merits at this stage of the cases.

(f) The declaratory Board order will be binding on the parties in both cases.

PART 102—RULES AND REGULATIONS, SERIES 8

Subpart A—Definitions

Sec.

102.1 Terms defined in section 2 of the Act.

102.2 Act; Board; Board agent.

102.3 General counsel.

102.4 Region; subregion.

102.5 Regional director; officer-in-charge, regional attorney.

102.6 Administrative law judge; hearing officer.

102.7 State.

102.8 Party.

Subpart B—Procedure Under Section 10(a) to (i) of the Act for the Prevention of Unfair Labor Practices

CHARGE

102.9 Who may file; withdrawal and dismissal.

102.10 Where to file.

102.11 Forms; jurat; or declaration.

102.12 Contents.

102.13 [Reserved]

102.14 Service of charge.

COMPLAINT

102.15 When and by whom issued; contents; service.

102.16 Hearing; change of date or place.

102.17 Amendment.

102.18 Withdrawal.

102.19 Appeal to the general counsel from refusal to issue or reissue.

ANSWER

102.20 Answer to complaint; time for filing; contents; allegations not denied deemed admitted.

102.21 Where to file; service upon the parties; form.

102.22 Extension of time for filing.

102.23 Amendment.

MOTIONS

102.24 Motions; where to file; contents; service on other parties; promptness in filing and response; default judgment procedures; summary judgment procedures.

102.25 Ruling on motions.

102.26 Motions, rulings, and orders part of the record; rulings not to be appealed directly to the Board without special permission; requests for special permission to appeal.

102.27 Review of granting of motion to dismiss entire complaint; reopening of the record.

102.28 Filing of answer or other participation in proceedings not a waiver of rights.

INTERVENTION

102.29 Intervention; requisites; rulings on motions to intervene.

WITNESSES, DEPOSITIONS, AND SUBPOENAS

102.30 Examination of witnesses; deposition.

102.31 Issuance of subpoenas; petitions to revoke subpoenas; rulings on claim of privilege against self-incrimination; subpoena enforcement proceedings; right to inspect and copy data.

102.32 Payment of witness fees and mileage; fees of persons taking depositions.

TRANSFER, CONSOLIDATION, AND SEVERANCE

102.33 Transfer of charge and proceeding from region to region; consolidation of proceedings in same region; severance.

HEARINGS

102.34 Who shall conduct; to be public unless otherwise ordered.

102.35 Duties and powers of administrative law judges; stipulations of cases to administrative law judges or to the Board;